

ARTICLE 10--AMENDMENT AND DISTRICT CHANGES: PROCEDURES

Whenever the public necessity, convenience, general welfare or good zoning practice require, the regulations, restrictions and district boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed, provided, however, that no action may be taken until a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. An amendment, supplement or change may be initiated by the Township Board or the Township Planning Commission, on a motion by either of these bodies, or by a verified application of one (1) or more of the owners of lessees of property within the area proposed to be changed or affected by this Ordinance.

10.01-1 Procedure For Change

Application for amendments and district changes shall be submitted to the Township Planning Commission upon forms carefully filled out with such data and information as to assure the fullest practicable presentation of facts for the permanent record.

10.01-2

Before submitting its recommendation on a proposed amendment of the text or a change the Planning Commission shall hold at least one (1) public hearing, notice of which hearing shall be given by two (2) publications in a newspaper of general circulation in the Township, the first to be printed not more than thirty (30) days nor less than twenty (20) days and the second not more than eight (8) days before the date of the hearing.

Not less than twenty (20) days notice of the time and place of such hearing shall also be given by certified mail to each electric, gas, pipeline and telephone public utility that registers its name and mailing address with the Township Planning Commission for the purpose of receiving such notice and to each railroad operating within the district or zone affected. The notice shall include the places and times at which the proposed amendment to the text or the district change and any maps of this Ordinance may be examined. An affidavit of mailing shall be maintained.

If an individual property or several adjacent properties are proposed for rezoning the Township Planning Commission shall give a notice of the proposed rezoning to the owner of the property in question, to all persons to whom any real property within three hundred (300) feet of the premises in question is assessed, and to the occupants of all single and multiple family dwellings within three hundred (300) feet. The notice shall be delivered personally or by mail to the address given in the last assessment roll. If the tenant's name is not known, the term occupant may be used. If the notice is delivered by mail, an affidavit of mailing shall be filed with the Planning Commission before the hearing.

10.01-3

The public hearing shall be held.

10.01-4

Following such hearing, or hearings, the Planning Commission shall submit the proposed amendment to the County Coordinating Zoning Committee for approval, disapproval or suggestions. The approval of the Coordinating Committee shall be conclusively presumed unless such committee shall within thirty (30) days of its receipt, have notified the Township Clerk to the contrary.

10.01-5

The Township Planning Commission shall transmit a summary of comments received at the public hearing and its proposed zoning plan and text to the Township Board. The Township Board may hold additional hearings if the Township Board considers it necessary. Notice of a public hearing held by the Township Board shall be published in a newspaper which circulates in the township. The notice shall be published not more than fifteen (15) days nor less than five (5) days before the hearing. If the Township Board considers amendments, changes, additions, or departures advisable to the proposed text, or a zoning ordinance, the Township Board shall refer the same to the Planning Commission for a report thereon within a time specified by the Township Board. After receiving the report, the Township Board shall grant a hearing on a proposed ordinance provision to a property owner who by certified mail addressed to the clerk of the Township Board requests a hearing and the Township Board shall request the Planning Commission to attend the hearing. After a hearing at a regular meeting or at a special meeting called for that purpose the Township Board may adopt, by majority vote of its membership a zoning amendment and may give the ordinance effect upon its publication. The amendment or ordinance shall be published pursuant to the provisions of the Township Rural Zoning Act.

10.02 Re-Hearing on Changes

Whenever a proposed amendment or district change has not been adopted by the Township Board, the Planning Commission shall refuse to hold another public hearing on same for at least six (6) months unless it is conclusively proven that new conditions and circumstances exist.